

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Joe Hoake  
McDonnell Aircraft Company  
P.O. Box 516  
St. Louis, MO 63166-0516

# LETTER OF WARNING

Dear Mr. Hoake:

On August 8, 1988, the Environmental Protection Agency (EPA) established treatment standards for certain First Third wastes (40 CFR § 268.41, 42 and 43). They also established requirements for those First Third wastes, known as Soft Hammer Wastes, for which treatment standards had not been set (40 CFR § 268.8) allowing them to be placed in the Resource Conservation and Recovery Act (RCRA) approved landfills or surface impoundments if demonstration and certification requirements are met.

On May 9, 1989, EPA Region V, in Chicago, Illinois, received the Soft Hammer Demonstration for your chloroform (U044), formaldehyde (U122), phenol (U188), tetrachloroethylene (U210), toluene diisocyanate (U223), and methylchloroform (U226). They forwarded it to Region VII. It is important that you submit documentation to the Region in which you generate the waste. Since you are located in Kansas<sup>Mo</sup> you must deal with the Region VII office of the EPA. We did not receive your signed Certification. Therefore your Soft Hammer Demonstration and Certification is invalid. Past and continuing shipments of this hazardous waste (U044, U122, U188, U210, U223 and U226) without a valid certification places the McDonnell Aircraft Company in violation of 40 CFR § 268.8.

If you wish to acquire Soft Hammer Certification for your waste you must submit a Demonstration and a signed Certification in the specific language promulgated in 40 CFR § 268.8. All future shipments of this, or any other hazardous waste subject to this requirement, must be accompanied by a valid Soft Hammer Certification.

Failure to comply with this requirement may subject you to an enforcement action under Section 3008 of RCRA, 42 U.S.C.

WSTM/RCRA/RCOM:HUTCHISON:jh:6/15/89	AIRCRAFT
RCOM	RCOM
HUTCHISON	RCRA
	MORBY

HUTCHISON  
C Hutchison  
6-15-89

D-226  
6/16/89

mom  
6/16/89



R00144316  
RCRA RECORDS CENTER

Section 6928. Such enforcement action may include the assessment of penalties of up to \$25,000 for each day of noncompliance.

If you have any questions regarding Soft Hammer Certification or this letter, please contact Cynthia L. Hutchison, of my staff, at (913) 236-2891.

Sincerely yours,

Robert L. Morby  
Chief, RCRA Branch  
Waste Management Division

bcc: Marc Rivas, RCOM  
Nicholas A. Di Pasquale, MDNR



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
726 MINNESOTA AVENUE  
KANSAS CITY, KANSAS 66101

JUN 19 1989

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Sincerely yours,

A handwritten signature in black ink, appearing to read 'R. Morby', with a large, sweeping loop at the end.

Robert L. Morby  
Chief, RCRA Branch  
Waste Management Division

P-561 301 130

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, June 1985

U.S.G.P.O. 153-506

Sent to <b>Mr. Joe Hoake</b>	
Street <b>McDonnell Aircraft Co.</b>	
P.O. Box <b>516</b>	
City and State <b>St. Louis, MO</b>	
Zip <b>63166-0516</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

**SENDER:** Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery  
↑(Extra charge)↑

3. Article Addressed to:  <b>Mr. Joe Hoake</b> <b>McDonnell Aircraft Co.</b> <b>P.O. Box 516</b> <b>St. Louis, MO 63166-0516</b>		4. Article Number <b>P 561-301-130</b>
		Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
		Always obtain signature of addressee or agent and <u>DATE DELIVERED.</u>
5. Signature — Addressee <b>X</b>		8. Addressee's Address ( <i>ONLY if requested and fee paid</i> )
6. Signature — Agent <b>X</b> <i>S. Thompson</i>		
7. Date of Delivery <b>JUN 21 1989</b>		